

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SHAEL CRUZ, on behalf of himself and
all others similarly situated, :
Plaintiff, : 20-CV-5821 (VEC)
: ORDER
-against- :
TAHE OUTDOORS NORTH AMERICA, INC., :
Defendant. :
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VALERIE CAPRONI, United States District Judge:

WHEREAS an initial pretrial conference is scheduled for Friday, December 4, 2020, at 10:00 A.M., Dkt. 5;

WHEREAS the notice of initial pretrial conference requires that Defense counsel file a notice of appearance before the date of the conference, Dkt. 5;

WHEREAS the notice of initial pretrial conference required the parties to “meet and confer for at least one hour in a good-faith attempt to settle this case” by no later than November 5, 2020, Dkt. 5 ¶ 4;

WHEREAS the notice of initial pretrial conference required that the pre-conference submissions include both a confirmation that the parties have met and conferred consistent with the notice and note whether the parties request an immediate referral to either the court-annexed mediation program or the case’s assigned Magistrate Judge, Dkt. 5; and

WHEREAS the preconference submission noted that “[t]he parties have not yet discussed settlement,” Dkt. 7 at 3;

IT IS HEREBY ORDERED that due to a conflict in the Court’s calendar, the initial pretrial conference is adjourned to **Friday, December 4, 2020, at 10:30 A.M.**

IT IS FURTHER ORDERED that due to the rising number of COVID-19 cases in New York City, the initial pretrial conference will be held by telephone. All parties and any interested members of the public must attend by dialing 1-888-363-4749, using the access code 3121171, and the security code 5821. All attendees are advised to mute their phones when not speaking and to self-identify each time they speak. Recording or rebroadcasting the proceeding is strictly prohibited by law.

IT IS FURTHER ORDERED that Defense counsel must file a Notice of Appearance by no later than Friday, December 4, 2020 at 10:30 A.M., though the Court encourages Defense counsel to file the Notice at his earliest convenience.

IT IS FURTHER ORDERED that if they have not done so already and by no later than **Wednesday, December 2, 2020**, the parties must meet and confer for at least one hour in a good-faith attempt to settle this case. By no later than close of business on Wednesday, December 2, 2020, the parties must jointly inform the Court whether they were able to reach a settlement agreement and if not, whether they believe a referral to mediation or to their assigned Magistrate Judge for a settlement conference would be helpful in bringing this matter to a resolution.

IT IS FURTHER ORDERED that any additional non-compliance with the Court's orders may lead to sanctions.

SO ORDERED.

Date: November 30, 2020
New York, NY


VALERIE CAPRONI
United States District Judge